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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE: FACEBOOK, INC. CONSUMER
PRIVACY USER PROFILE LITIGATION,

This document relates to:

ALL ACTIONS

MDL NO. 2843
CASE NO. 3:18-MD-02843-VC

**DECLARATION OF ASHLEY ROGERS
IN SUPPORT OF DEFENDANT
FACEBOOK, INC.'S OPPOSITION TO
PLAINTIFFS' MOTION TO RELATE
CASES**

Judge: Hons. Vince Chhabria and
Jacqueline Scott Corley
Courtroom 4, 17th Floor


1 I, Ashley Rogers, hereby declare as follows:

2 1. I am an attorney admitted to practice law before this Court and all of the Courts of the
3 State of California. I am a partner at the law firm of Gibson, Dunn & Crutcher LLP, and counsel of
4 record for Defendant Facebook, Inc. in *Kiss v. Flo Health, Inc. et al.*, No. 3:21-cv-04333-JD. I submit
5 this declaration in support of Defendant Facebook, Inc.'s position in its Opposition to Plaintiffs' Mo-
6 tion to Consider Whether Cases Should Be Related, Dkt. 723 ("Administrative Motion"). I make this
7 declaration based on my own knowledge of the matters set forth herein, and I would testify to the
8 matters stated herein under oath if called upon to do so.

10 2. On August 16, 2021, I informed my colleagues who are counsel of record in the MDL
11 for Facebook that I had conferred with the following defendants in *Kiss v. Flo Health, Inc. et al.*, No.
12 3:21-cv-04333-JD: Flo Health, Inc. and Flurry, Inc. I also informed my colleagues that each of these
13 *Kiss* defendants also has agreed to join Facebook in opposing the Administrative Motion.
14

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16 I declare under penalty of perjury under the laws of the United States of America that the foregoing is
17 true and correct.

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19 Executed this 16th day of August, 2021 in Dallas, Texas.
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23 Ashley Rogers
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